

INFORMATION DISCLOSURE STATEMENT

Applicant : Bennett, et al.
App. No : 09/315,292
Filed : May 20, 1999
For : COMPOSITIONS AND METHODS FOR THE PULMONARY
DELIVERY OF NUCLEIC ACIDS
Examiner : Amy Hudson Bowman
Art Unit : 1635
Conf. No. : 6344

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 9 references to be considered by the Examiner. Also enclosed are 8 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A CD-ROM was purportedly contributed to the public collection of the Katherine R. Everett Law Library of the University of North Carolina on March 14, 2002. The CD-ROM is purported to contain a document entitled "On the Preparation and Utilization of Isolated and Purified Oligonucleotides." The document has been included on the form PTO/SB/08A and a paper copy is enclosed herewith. The CD-ROM is also purported to contain a listing of "all sequences of 8 to 12 nucleotides that have between 40 and 60 percent G+C content and are free of homopolymeric runs of 4 or more bases and directly or inversely repeated regions of 4 or more

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bases" a paper copy of which is too voluminous to submit herewith. Applicant's submission of the foregoing information shall not be construed as an admission that the purported CD-ROM contains that which it is purported to contain nor shall it be construed as an admission that the purported CD-ROM is a publication.

This Information Disclosure Statement is being filed within three months of the filing date, with an RCE or before receipt of a first office action after an RCE and no fee is required.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 7, 2009

By: 

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